

ESTTA Tracking number: **ESTTA251592**

Filing date: **11/26/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185310
Party	Defendant Weems Industries, Inc. dba Legacy Manufacturing Company
Correspondence Address	BRIAN J. LAURENZO DORSEY & WHITNEY LLP 801 GRAND AVE STE 3900 DES MOINES, IA 50309-2790 UNITED STATES laurenzo.brian@dorsey.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Brian J. Laurenzo
Filer's e-mail	laurenzo.brian@dorsey.com
Signature	/Brian J. Laurenzo/
Date	11/26/2008
Attachments	MotionforExtensionofAnswerWithConsent.pdf (2 pages)(57847 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BIG O TIRES, LLC,

Opposer,

v.

WEEMS INDUSTRIES, INC., dba
LEGACY MANUFACTURING
COMPANY,

Defendant.

) Opposition No.: 91185310

) Mark: LEGACY

) **MOTION FOR AN EXTENSION OF
ANSWER PERIOD WITH CONSENT**

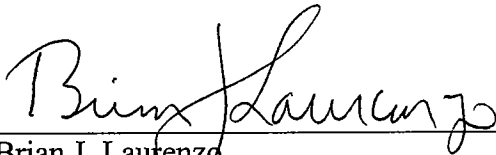
The Defendant's time to Answer is currently set to close on 11/28/2008. Defendant Weems Industries, Inc. dba Legacy Manufacturing Company hereby requests for an additional ninety (90) day extension of time, or until 02/28/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	02/28/2009
Deadline for Discovery Conference :	03/28/2009
Discovery Opens :	03/28/2009
Initial Disclosures Due :	04/27/2009
Expert Disclosure Due :	08/27/2009
Discovery Closes :	09/26/2009
Plaintiff's Pretrial Disclosures :	11/10/2009
Plaintiff's 30-day Trial Period Ends :	12/24/2009
Defendant's Pretrial Disclosures :	01/09/2010
Defendant's 30-day Trial Period Ends :	02/23/2010
Plaintiff's Rebuttal Disclosures :	03/08/2010
Plaintiff's 15-day Rebuttal Period Ends :	04/07/2010

Defendant has secured express consent for the above requested extension of time following a telephonic agreement with counsel for Opposer, Big O Tires, LLC, on 11/26/2008. Parties are presently in settlement negotiations.

WHEREFORE, Defendant hereby respectfully requests that this Court grant the instant motion in the present matter for the reasons set forth above.

Date: November 26, 2008



Brian J. Laurenzo
DORSEY & WHITNEY LLP
801 Grand Avenue, Suite 3900
Des Moines, Iowa 50309
Tel: (515) 283-1000
Fax: (515) 283-1060
Email: laurenzo.brian@dorsey.com
ATTORNEY FOR DEFENDANT

Original filed.

CERTIFICATE OF SERVICE

Copy to:

Leesa N. Weiss (lweiss@jhip.com)
Marsha G. Gentner (mgentner@jhip.com)
Jacobson Holman PLLC
400 – 7th Street, N.W.
Washington, D.C. 20004
ATTORNEYS FOR OPPOSER

The undersigned certifies that on November 26, 2008, the foregoing instrument was served upon all parties to the above case and/or to each of the attorneys of record herein at their respective addresses disclosed on the pleadings:

By: Electronic Service **AND/OR**

By: _____	U.S. Mail	_____	FAX
_____	Hand Delivered	_____	Overnight Courier
_____	E-mail	_____	Other _____

/s/ Brian J. Laurenzo